

Serial No. 55456

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 09 1990

Returned to applicant for correction JAN 24 1991

Corrected application filed _____ Map filed MAR 18 1991

The applicant Wallace and Alta Bird

P.O. Box 626 of Tonopah
Street and No. or P.O. Box No. City or Town

Nevada hereby make application for permission to change the
State and Zip Code No.

Point of Diversion

Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit #41128
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

1. The source of water is Stream - Cloverdale Channel
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.30 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation and Domestic purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation and Domestic purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T.10N., R.40E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M., (unsurveyed) from whence the Northwest corner of Section 6, T.8N.,
distance to a section corner. If on unsurveyed land, it should be stated.
R.39E., M.D.B.&M., bears S.51 $^{\circ}$ 42'38" W., 52,279.64 feet distant.
6. The existing permitted point of diversion is located within in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T.10N.,
If point of diversion is not changed, do not answer.
R.40E., M.D.B.&M., (unsurveyed) from whence the NW corner of Section 6, T.8N.,
R.40E., M.D.B.&M., bears S.51 $^{\circ}$ 42'38"W., 52,279.64 feet distant.
7. Proposed place of use Homestead Entry #139, located in the unsurveyed East $\frac{1}{2}$ of
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
Section 5, T.9N., R.40E., M.D.B.&M.
8. Existing place of use same as above
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) water is presently conveyed to the place of
use by pipe line to small diversion pond, State manner in which water is to be diverted, i.e. diversion structure,
under permit #6663, Certificate #2050.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works Works are in place
13. Estimated time required to construct works Works are in place

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

By s/Wallace T. Boundy
P.O. Box 242
Tonopah, NV 89049

Compared bc/bc am/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of Cloverdale Channel as heretofore granted under Permit 41128 is issued subject to the terms and conditions imposed in said Permit 41128 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.3 cubic feet per second, and not to exceed 66 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before July 2, 1992

Proof of completion of work shall be filed before August 2, 1992

Application of water to beneficial use shall be made on or before July 2, 1993

Proof of the application of water to beneficial use shall be filed on or before August 2, 1993

Map in support of proof of beneficial use shall be filed on or before August 2, 1993

Completion of work filed JUL 29 1992

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 2nd day of July

A.D. 19 91
[Signature]
State Engineer

WITHDRAWN BY APPLICANT JUL 31 1996
[Signature]
STATE ENGINEER